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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 LARRY JAMES DEROSSETT, JR., )  
11 Plaintiff, )  
12 v. )  
13 CORRECTIONAL TRAINING FACILITY, )  
14 Defendant. )  
15

No. C 10-4886 LHK (PR)

ORDER OF DISMISSAL

16 On October 28, 2010, Plaintiff, currently housed at the Correctional Training Facility,  
17 and proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On March 30,  
18 2011, Plaintiff filed a notice of voluntary dismissal. Plaintiff may voluntarily dismiss his  
19 complaint without order of this Court if he files his notice before Defendants serve an answer or  
20 motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(i); *American Soccer Co. v. Score*  
21 *First Enters.*, 187 F. 3d 1108, 1110 (9th Cir. 1999) (noting that a plaintiff has an “absolute right”  
22 to dismiss his action voluntarily before defendant serves an answer or a motion for summary  
23 judgment). Accordingly, this action is DISMISSED without prejudice. The Clerk shall  
24 terminate all pending motions and close the file.

IT IS SO ORDERED.

25 DATED: 4/11/11

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27 LUCY H. KOH  
28 United States District Judge